

### **REMARKS**

Claim 2 has been amended for clarification purposes. No new matter has been added. Claims 2 and 3 are now pending.

Applicants respectfully request continued examination of the present application in view of Applicants' RCE submission. For the convenience of the Patent Office, Applicants' response to earlier rejections concerning the claims has been provided below.

In a previous Office Action, claims 2 and 3 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,289,502 to Garland et al. ("Garland reference").

The Garland reference purportedly concerns a computer language which is based on a formal mathematical state-machine model and used both to validate and to generate code for a distributed system, and includes constructs for specifying non-deterministic actions, and for specifying constraints on those non-deterministic choices.

However, the Garland reference does not teach identically all of the features of the present invention as detailed in claim 2. Claim 2 concerns a method for verifying safety properties of a Java byte code program, the method requiring: mapping a functioning of the byte code program by a potentially infinite state transition system onto a finite state transition system using an algorithm describing first properties of byte code instructions, mapping a state space of an interpreter onto a finite set of states in the finite state transition system, information not needed for a checking of an acceptability of the byte code program being omitted, so that the finite state transition system contains only type information useable for the checking of the acceptability of the byte code program; entering the type information useable for the checking of the acceptability of the byte code program into a model checker; determining second properties which characterize an acceptable byte code program using a logic operation including formulas; entering the determined second properties which characterize an acceptable byte code program as conditional set into the model checker, the conditional set including a plurality of individual conditions; interpreting, using the model checker, each of the plurality of individual conditions as a specification language for system properties of the byte code program; verifying, using the model checker, whether each of the plurality of individual conditions is fulfilled by the state transition system; and then automatically releasing the byte code program for further processing when the state transition system fulfills all of the plurality of individual conditions. The Garland reference does not identically disclose the above exact method. Notwithstanding the above, the Garland reference specifically *does not identically* describe the steps of *verifying, using the model checker, whether each of the plurality of individual conditions is fulfilled by the state transition system; and then automatically releasing the byte code program for further processing when the state transition system fulfills all of the plurality of individual conditions*, as in claim 2.

Accordingly, the Garland reference does not identically describe all of the features of claim 2 and withdrawal of the rejection under 35 U.S.C. § 102(e) of claim 2 and its dependent claim 3 should be effected.

In summary, it is respectfully submitted that both claims 2 and 3 are allowable for the foregoing reasons.

CONCLUSION

In view of the foregoing, it is believed that claims 2 and 3 are allowable. It is therefore respectfully requested that the present application issue as early as possible.

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Respectfully submitted,

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